



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JUN 03 2015

Russell Begaye
President
The Navajo Nation
Post Office Box 9000
Window Rock, Arizona 86515

RE: U.S. EPA Indian Environmental General Assistance Program
GA00T66301-4
Application Due: JUL 06 2015

Dear President Begaye:

I am pleased to inform you that your proposal submitted to this office under the U.S. Environmental Protection Agency's Indian Environmental General Assistance Program (GAP) has been tentatively approved for funding. At this time, I am setting aside \$188,000 of funding to support your GAP for one year. An additional \$17,985 has been tentatively set aside for supplemental activities as follows: \$1,945 for outreach travel; \$7,210 for annual salary adjustments and \$8,830 for items necessary to develop a Navajo Nation EPA Conference.

Also, in a separate budget and work plan component, please include no more than \$50,000 to research the need for a Hazardous Waste Site Database as a supplemental funding request for your program. If additional GAP funds become available and your requests are approved, some or all of your supplemental requests may be awarded. The total application amount and tentative award for your GAP is \$255,985.

In addition, we have not received the Tribe's first quarter deliverables and second quarter report and deliverables from the current grant year. These reports are due 30 days after the end of each quarter. Timely submission of quarterly reports and deliverables are part of the programmatic terms and conditions of your GAP grant. **An award for FY 2016 cannot be made until the Tribe's reporting is brought current. Failure to submit these reports may result in a delay, reduction, or denial of future awards.**

Work plan submission, negotiation, and approval will be conducted electronically in GAP Online. The comments attached here for your reference are also available in GAP Online. If we receive your complete application and an **approvable** revised work plan by the due date we will make every effort to award the grant by September 30, 2015. This funding will support work plan activities **from October 1, 2015 to September 30, 2016**. Please do not incur any costs under this work plan until the official grant award document has been signed and dated by the EPA Award Official. Any costs incurred before the date of award will not be reimbursed.

This letter does not constitute a grant award. In order to receive funding, the Navajo Nation will need to complete an Application for Federal Assistance (SF-424). **The complete application, including an**

approvable work plan, must be submitted for EPA review by the due date indicated above.

Materials can be submitted earlier and will be processed on a first-come, first-served basis. Please note that in completing your application, you will need to enter the GAP Catalog of Federal Domestic Assistance Number (CFDA), required in box #11 on the SF-424A application form, 66.926.

New Process for Submitting Your GAP Grant Application

Effective February 17, 2015, EPA grant applicants **must** use Grants.gov to submit their applications. The Grants.gov registration process can take up to 30 days to complete. Therefore, it is highly recommended that EPA applicants complete their registration on Grants.gov now. Also, your organization's registration in SAM.gov must be active to utilize Grants.gov. If it appears that the grants.gov registration process may prevent you from submitting your application by the due date aforementioned, then please contact Support@grants.gov or call 1-800-518-4726 as support is available 24 hours a day and 7 days a week. You should also notify your Project Officer before the application due date to request an extension.

Please review both Attachment 2 (Grants.gov Instructions Guide) and Attachment 3 (Region 9 Guidance Information for Applicants) or go to <http://www.epa.gov/region9/funding/information.html> to find additional resources on Grants.gov, Federal Regulations, and new EPA requirements. We suggest you forward these materials to your Project Manager, Financial Officer and any other personnel in your organization requiring this information.

I look forward to working with you and your staff under the General Assistance Program. Questions regarding the completion of the application forms as well as the mandatory use of grants.gov should be referred to Alba Espitia, Grants Management Specialist, at (415) 972-3667. You can also contact your GAP Project Officer, Pamela Overman at (415) 972-3781 if you have questions regarding this letter, the work plan or the General Assistance Program.

Sincerely,



Laura M. Ebbert
Manager
Tribal Section

Enclosures

1. Work Plan Comments
2. ETEP Guidance
3. Grants.gov Instructions Guide
4. Region 9 Guidance Information for Applicants
5. Region 9 Application Checklist – Grants.gov

cc: Dr. Donald Benn, NN EPA Executive Director (with work plan comments)
Edith Snyder, NN EPA (with work plan comments)

GAP 2015-2016 Work Plan Comments The Navajo Nation

Thank you for submitting a work plan that is generally consistent with the 2013 GAP Guidance. The following observations and requests were written with the intent of strengthening the Tribe's GAP work plan, identifying possible assistance, and ensuring the work plan meets the GAP guidelines. These comments pertain to the 2015-2016 work plan that was submitted with your GAP proposal in GAP Online in December 2014. **Please ensure that these comments are addressed in your final GAP work plan in GAP Online and prior to the submission of the Tribe's application in Grants.gov.**

General Comments

1. **Reference Documents:** The following references are useful for understanding GAP in general, for getting an understanding for environmental outcomes, etc.
2013 Guidance on the Award and Management of General Assistance Program Agreements and Appendix I, Guidebook for Building Tribal Environmental Program Capacity
<http://www.epa.gov/region9/funding/pdfs/tribal-gap/r9-gap-guidance.pdf>
GAP Act (<http://www.epa.gov/Indian/pdfs/4368b.pdf>)
2015 GAP Grant Notification (<http://www.epa.gov/region09/funding/tribal-gap.html>)
EPA Strategic Plan (<http://www2.epa.gov/planandbudget/strategicplan>)
2. **Environmental outcomes should be expressed in terms of improvements to public health, the environment, or human behavior.** They can also reflect improved tribal capacity to protect public health or the environment. Intermediate outcomes could reflect: a) improved human health or environmental conditions, b) reduced risks to human health or the environment, c) increased tribal capabilities in legal, enforcement, technical, communication, or administrative areas. Long-term outcomes could include attainment of desired environmental conditions (e.g., water quality standards are met) or human health goals, attainment of a desired capacity to plan, develop, implement, manage and sustain tribal environmental programs.
3. **Please ensure that each component in your work plan contains one or more capacity indicators that appropriately links to the commitments.** Capacity indicators represent the destination of the Tribe's work and therefore the Tribe should express how it will accomplish the tasks necessary to achieve the indicators proposed in its commitments. Moreover, capacity indicators should ideally be placed in the "Measures" section for each component in the work plan. More information on the appropriate use of indicators is found on page 13 of the GAP Guidance. A suite of indicators that the Tribe may consider for inclusion in its work plan is contained in Appendix I of the GAP Guidebook.
4. **Greening Grants Policy: EPA Region 9 has adopted a Greening Grants Policy which encourages grantees to carry out their EPA grant funded projects in a greener way.** Where feasible, please identify and incorporate green practices into your work plan. The Greening Grants Policy includes an attachment which describes many useful green practices. The policy furthers the objectives of EPA's 2011-15 Strategic Plan. The link to Greening Grant Policy is on the Region 9 Website Homepage, <http://www.epa.gov/region9/funding/greening-grants.html>
5. **Indirect Costs:** Please refer to CFR 2 Part 200, Section 200.414 for more information regarding indirect cost rates.

For Fixed/Carry forward Tribal IDC rates:

- EPA may allow IDC costs to be budgeted for grants when indirect costs rates have been approved within the preceding three fiscal years. When IDC rates are not current at the time of the grant award, a term and condition will be used to require the Tribe to notify EPA and refund any overfunded amounts.

BUDGET COMMENTS

Core GAP (Components 1, 3, 5, 6 and 7)

The total tentative funding amount for the Core GAP Program is \$188,000. Tentative approved estimates are:

- Personnel and fringe for two FTE: \$137,142.
- Travel for \$8,670 for two staff and one Director to attend the Tribal/EPA Conference, GAP grant negotiations in San Francisco and an 8-hour HAZWOPER refresher.
- Supplies for \$3,000
- Other for \$11,967. This covers rent, desk and cell phones, registration fees, fleet vehicle and vehicle insurance.

If your budget will vary from this estimate, please contact your project officer. This amount is tentative, and will be re-evaluated based on the revised work plan.

Supplemental One-Time Funding Requests Tentatively Approved:

Salary Adjustments (based on tribal policy)

- \$7,211 (salary, fringe and indirect)

Outreach Travel

- \$1,945 (including indirect costs)

Component 3: Conference (Other)

- Supplemental one-time costs of \$8,830 (including indirect costs)

Hazardous Waste Database

- \$50,000 (approximately) is tentatively approved. This amount will be re-evaluated after further negotiations with your project officer.

Supplemental Funding Requests Not Approved:

Deputy Director

- \$119,556 for a Deputy Director (FTE, Fringe, travel and indirect) is not approved at this time. Please remove this position from each commitment.

Total application amount should be \$255,985.

WORK PLAN COMMENTS

This work plan and budget was developed and submitted by a previous NN EPA Executive Director. We are requesting that the new NN EPA Executive Director review the work plan components and commitments and provide assurance that these activities are the current priority. Any requested changes must be discussed in advance with your US EPA project officer.

Outputs and Deliverables: Please provide specific deliverables for each commitment. A **work plan output** is the environmental activity or effort **and deliverables are the associated work products** related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during a grant

funding period. Outputs reflect the products and services provided by the recipient, but do not, by themselves, measure the programmatic or environmental results or outcomes in an assistance agreement.

Commitment Descriptions: Please ensure each commitment provides **why** the Tribe has proposed each activity, **who** will need to do **what**, **where**, **when** and **how**, to complete proposed activities. This type of information helps quantify the level of effort (FTE and Cost) required to complete commitments, which in turn helps project officers determine if identified costs appear reasonable. Build this type of information into each of your commitment descriptions.

Joint Evaluation: Portions of a Joint Evaluation process are missing. Please see Attachment F from the notification to ensure that the work plan contains a process in which EPA and the Tribe together evaluate the successes of the Tribe under GAP. The attachment can be found at:

<http://www.epa.gov/region9/funding/pdfs/tribal-gap/fy2015-r9-gap-notification-attach-d-workplan-quarterly-report.pdf>

Component 1: Administrative and Financial Support

Measures: Please revise the Measures Section. Applicants should identify capacity indicators **which will be developed**, as described in Section 3 and Appendix 1 of the GAP Guidance, and list those indicators in the work plan. Capacity indicators should be listed by number (e.g. "C.3.1"), as designated in Appendix 1 of the GAP Guidance, with the indicator written out to support the work that is being conducted. The Component 1 commitments should describe how the capacity indicator will be achieved. Capacity indicator B.4.1 states that the goal is to develop a specific written procedure. The commitments as written do not appear to support the capacity indicator listed.

Please consider using the following indicator that was created by Region 9, for this component:

Indicator B.1.1 – The activities that ensure adequate program management capacity, processes, and resources are in place for future environmental program staff.

Component Cost: The cost of this component seems high. Please provide additional information to support the anticipated component cost.

Commitment 1.1: Please describe **why** the Tribe has proposed this activity, including **who** will need to do **what**, **where**, **when** and **how** to "ensure projects comply with overall projects in FY 16 Grant Year". Usually, this activity is completed by reviewing workplan targets and preparing quarterly reports (as in commitment 1.4). Including this type of information helps quantify the level of effort (FTE and costs) required to complete the commitment, which in turn helps to determine if identified costs appear reasonable. Please also describe the proposed, joint evaluation process. Your project officer can provide an example.

Deliverable 1.2: Please add: Will provide a summary of activities completed in each quarterly report.

Commitment 1.3: Please describe **who** will need to do **what**, **where**, **when** and **how** to complete this work. For the deliverable, please add a summary of activities that were completed.

Commitment 1.4: Please provide more detail for quarterly reporting, such as: Will prepare and submit quarterly progress reports to self-evaluate and to joint evaluate annual performance under the grant including: status of each work plan component, commitment, output/deliverables and outcomes; status of expenditures for the reporting period; summary of accomplishments including the reporting of environmental results and discussion of problems impacting or expected to impact performance; and tasks not on schedule and proposed dates of completion. Each report will be submitted on the 30th day after the end of the quarter i.e., January 30, April 30, July 30, and October 30.

Commitment 1.5: You may want to consider moving this commitment to Component 5 (Outreach). An applicable capacity indicator for this work might be B.6.4. Please revise this description to state how this

work will include assessing, modifying or developing a method or system to produce press releases and radio announcements.

Commitment 1.6: Please describe **who** will do **what**, **where**, **when** and **how** to complete this work.

Please revise the deliverable to include a summary and date of each meeting.

Commitment 1.7: This commitment identifies several different activities. Please remove the outreach activities because they are already included in Component 5. Travel and training should support the development of a capacity indicator. Please identify the indicator, and provide additional detail on the specific travel and training that is needed. The cost of this commitment seems high (\$17,352); please provide additional detail to support the anticipated commitment cost and that the activities are in your budget.

Component 2. Establish a Deputy Division Director for Management of Environmental Office

This component is not approved. Prior to funding, the EPA will work with the new NN EPA Executive Director to discuss the need for this position, the portion of this position's work that would be GAP eligible, and the non-GAP funding options for future activities.

Component 3. Navajo Nation EPA Environmental Tribal Conference and Community Recognition Awards

Measures: Please revise the Measures Section. Applicants should identify specific capacity indicators which will be developed, as described in Section 3 and Appendix 1 of the GAP Guidance, and list those indicators in the work plan.

Commitments 3.1-3.7: The commitments should describe how each capacity indicator will be developed. For each commitment, please describe how you will develop each indicator, i.e. describe how the methods will be developed. As a reminder, in most cases, once you achieve an indicator the work is no longer GAP eligible.

Commitment 3.1: The cost of this commitment (\$3,000) to hold a meeting seems high. Please provide additional information to support the anticipated cost.

Commitment 3.2: Please edit to clarify. Please describe **who** will need to do **what**, **where**, **when** and **how** to complete this work. For the deliverable, please add the dates of meetings and a summary of activities that were completed.

Commitment 3.3: Please describe **who** will need to do **what**, **where**, **when** and **how** to complete this work. For the deliverable, please add the dates of meetings and a summary of activities that were completed.

Commitment 3.4: For the deliverable, please add the dates of meetings and a summary of activities that were completed.

Commitment 3.5: Please describe **who** will need to do **what**, **where**, **when** and **how** to complete this work. For the deliverable, please add the dates of meetings and a summary of activities that were completed.

Commitment 3.6: Please describe what will be printed, distributed and emailed. Are these materials that will need to be developed? If so, please add this additional work.

Commitment 3.7: Please add an evaluation of the materials and methods developed for the conference.

New Commitment: Please add a commitment to conduct the conference and describe **who** will do **what**, **where**, **when** and **how**.

Component 4. Develop and Hire a Contractor for a Database for Hazardous Waste Sites

This funding is contingent upon the successful negotiation of a new workplan component. Please contact your project officer with any questions that you may have.

Please clarify the purpose of this component. Is the goal to inventory regulated entities or to record hazardous sites and emergency response incidents on the Navajo Nation?

EPA would like to assist you with developing a process to inventory RCRA C sites on the Navajo Nation, if that is the goal of this component.

Suggested revision to the proposed FY16 work:

- Obtain information and training on the RCRAInfo Database. Obtain a user ID and obtain training from US EPA.
- Develop and maintain communication with other NN Divisions or Departments who may have a role or need for this data.
- Perform an "audit" of Navajo Nation's hazardous waste facility universe (e.g., generators, transporters, TSDFs). Determine the accuracy of the data reported in RCRAInfo by reviewing and updating information currently in the RCRA Info Database. There are currently 239 entities in the database, with 147 listed as conditionally exempt. Provide updates and corrections to the data contained in the database.
- Conduct pre-planning for software purchase by investigating software options. Gain knowledge of existing software used by the surrounding state and local agencies.

Database application development should define:

- Who are the stakeholders – how many agencies need to share?
- How is the data being managed now and how will it be managed in the future? (examples)
 - Haz waste
 - Haz materials
 - Business licenses
 - NNEPA GIS
 - Spill reports
- What is working/not working in current environment? (include examples of responses that went well vs. not so well)
- How would more rapid communication enhance the ability to respond?
- How would storage of incident response steps inform future responses?

These resources might be helpful to defining your objectives:

<http://www.chemicalspill.org/index.html>

<http://cobra2020.com/products/cobra-platform/>

Component 5. Develop New Methods of Outreach for Navajo Nation EPA

Capacity Indicator: It is unclear how the program capacity indicator will be developed. Since the activities in this component vary widely, please include capacity indicators at the commitment level.

Outreach: For each commitment, please describe how you will be developing each indicator. See Section B.6 of the GAP Guidebook:

- Establishing public participation, community involvement, education, and communication core capacities includes assessing, modifying, or developing systems to ensure that the tribal environmental protection program can notify the general public of important events or information, publicize activities related to its projects and programs, engage community members to understand their environmental and public health concerns, educate the public on human health and environmental protection issues important to the tribe, and be responsive to concerns raised.

The GAP Guidebook, and direction from the American Indian Environmental Office, indicate that outreach and education activities need to continually evolve or they will be considered implementation activities, which cannot be supported with GAP funds. For example, a tribe with a community education program may continue to receive GAP funds to expand the program by adding new features, such as

outreach strategies for vulnerable groups (i.e., children, the elderly, people in poor health, and expectant mothers) or identifying new media outlets to reach target audiences (GAP Guidebook, A.3 Page 2 of 42). This is also clarified in the GAP Guidance FAQ Document.

Please update your commitments to describe how you will be assessing, modifying or developing new outreach programs, methods or plans.

Commitment 5.1: Please add additional work to identify if the Tribe's current outreach plan will be revised. If so, please describe **who** will do **what**, **where**, **when** and **how** for revising the plan. As a deliverable, please include a copy of the revised outreach plan.

Commitment 5.2: Please describe the goal of this activity and the new outreach materials that will be developed for these presentations. Clarify how this plan development is different from the plan identified in 5.1.

Deliverable 5.3: Please add a summary of any meetings and input received from other departments.

Commitment 5.4: Please combine the information in commitment 1.5 with this commitment because the activity appears to be the same.

Commitment 5.5: Please add "To assess new outreach materials that were developed..." to the description. As a deliverable, please provide a summary of each event with an assessment of the outreach materials developed and the methods used to disseminate information.

Commitment 5.6: Please provide a more detailed description of **who** will need to do **what**, **where**, **when** and **how** to complete this work. For the deliverable, please add the dates of any contacts or meetings and a summary of activities that were completed.

Commitment 5.7: Please clarify what feedback will be provided to who. Preparing technical reports about environmental issues and site specific work sounds like an implementation activity, which is not allowable under GAP. Please remove this kind of work from the GAP work plan.

Component 6. Develop a Technical Environmental Lexicon in the Navajo Language

Measures: You may want to consider identifying capacity indicator B.6.7 which may be more applicable to this component because the Nation will be developing a new method (a Navajo Language Lexicon) to assist with outreach.

Estimated Component Cost: The cost to complete this component (\$58,000) seems high. Please provide additional information in the commitments to support the anticipated component cost or reduce the cost.

Commitment 6.1: The cost of this commitment (\$17,961) for research seems high. Please provide additional information to support the anticipated cost or reduce the cost.

Please describe **who** will need to do **what**, **where**, **when** and **how**, to complete this work. For example, describe how the research be conducted and who will you need to meet with. For the deliverable, please add the dates of meetings and a summary of activities that were completed in each quarter.

Commitment 6.2: Please add a description of the purpose and desired outcome of these meetings and consultations.

Commitment 6.3: The cost of this commitment (\$17,961) to attend a conference or workshop is high. Please provide additional information to support the anticipated cost or reduce the cost.

Commitment 6.4: Please describe how many dictionaries will need to be purchases. As a deliverable, please provide a summary of the purchase instead of copies of financial documents for the procurement.

New Commitments: Please provide additional commitments to describe the preparation and finalization of the lexicon. Each of these commitments should describe **who** will need to do **what**, **where**, **when** and **how** to complete this work. Deliverables should include draft and final copies of the lexicon.

Component 7. Develop an Integrated Resource Management Plan

This component, as written, appears to be a combination of a Baseline Needs Assessment and an EPA-Tribal Environmental Plan (ETEP). Based on our phone conversation, the Nation would like to focus on

completing EPA-Tribal Environmental Plan (ETEP). The comments below will provide guidance on developing an ETEP.

Development of an EPA/Tribal Environmental Plan (ETEP). Please refer Section 4 of the 2013 Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia and revise this Component to include the elements described in Section 4.3. Attached is an example work plan component for the development of an ETEP which you may need to expand on. If you will be moving this work to the FY15 grants, please remove any duplication. Please ensure that your ETEP component minimally includes the information and timeline contained in this sample work plan component. For additional assistance, please contact your Project Officer.

Title: Please revise the title of this component to “Develop an EPA-Tribal Environmental Plan (ETEP)”.

Estimated Component Cost: The cost of this component (\$58,000) seems high. Please provide additional information within the commitments to support the anticipated component cost or reduce the cost.

Measures: You may want to consider capacity indicator B.2.5 for the development of an ETEP.

Deliverable 7.1: Please add a copy of the NN EPA long-range environmental program development goals and prioritized environmental concerns for NN EPA as a deliverable.

Commitment 7.3: Please describe **who** will need to do **what**, **where**, **when** and **how** to complete this work. As a deliverable please add copies of each item listed in this commitment description.

Commitment 7.4: The commitment appears to describe the development of the EPA Programs and Priorities document. EPA will develop this document for inclusion in the ETEP. A review of this document should be the commitment.

Commitment 7.5: The commitment appears to describe the development of the Inventory of Regulated Facilities document. EPA will develop this document for inclusion in the ETEP. A review of this document should be the commitment.

Commitment 7.7: Please remove the statement about AUMs and the two questions in the description because they do not describe an activity. This commitment appears to be similar to 7.1. Please review both of these commitments and revise as needed to remove duplicate activities.

Component Cost and Work Years Guidance

Applications must include estimated component cost and associated work years. At present, Tribes are providing estimated costs that do not, when added together, equal the total budget request and budgeted FTE supplied with the work plan.

Suggested instructions for Tribes:

Estimated Component Costs should, when added together, equal the total budgeted amount. Two suggested ways to arrive at numbers that are equal:

- 1) Evaluate the relative *percentage* of financial resources each work plan task will take, each task being some percentage of 100; multiply that percentage by the total budgeted cost to get the estimated cost per component.

	Component 1	Component 2	Component 3	Total Budget
Percentage of Total:	25%	45%	30%	100%
Cost:	\$ 29,319	\$ 52,774	\$ 35,183	\$ 117,275

- 2) Alternately, as an addendum to calculation of the Total Program Budget, add columns wherein the contribution of each component to the total budget is calculated, and total component budgets across budget categories, applying indirect costs if applicable, personnel costs, and fringe. This "estimate" leans more toward accurate budget numbers.

Category	TOTAL	Component 1	Component 2	Component 3
(FTE)	1.5	0.375	0.6	0.525
Personnel	\$ 55,000	\$ 13,750	\$ 22,000	\$ 19,250
Fringe	\$ 18,150	4,537.50	7,260.00	6,352.50
Supplies	\$ 5,000	500	4100	400
Travel	\$ 5,000	4200	800	0
Equipment	\$ -	0	0	0
Contractual	\$ 15,000	4000	8000	3000
Subtotal	\$ 98,150	\$ 26,988	\$ 42,160	\$ 29,003
Base for Indirect	\$ 83,150	\$ 22,988	\$ 34,160	\$ 26,003
Indirect	\$ 19,125	\$ 5,287	\$ 7,857	\$ 5,981
Total	\$ 117,275	\$ 32,275	\$ 50,017	\$ 34,983

Estimated Component work years should, when added together, equal the total budgeted FTE for the program. One work year is equal to 2,080 personnel hours. A work year is also known as a full time equivalent (FTE), since it is based on a full time job; 40 hours per week * 52 weeks per year = 2,080 hours per year.

Two suggested ways to arrive at numbers that are equal:

- 1) Evaluate the relative *percentage* of staffing resources each work plan component will require, each component being some percentage of 100; multiply the percentage for each component by the total requested FTE to arrive at the estimated FTE per component.

staffing	Component 1	Component 2	Component 3	Total Budget
Percentage of Total:	25%	40%	35%	100%
Cost:	0.38	0.60	0.53	1.50

- 2) Alternately, when calculating the budget in the detailed manner for the Estimated Component Cost, take the FTE applied to each component and use that value to represent the estimated component FTE.

For Tribes Developing an ETEP in FY2016

Enclosed is an example ETEP work plan component template. If you have developed a recent environmental inventory, please inform your Project Officer and delete that commitment from the component. If you have questions about the other commitments, please contact your Project Officer.

The ETEP requirements are outlined in the National GAP Guidance on pages 13-19. Below is information about the Tribal Environmental Plan that will be part of the ETEP.

Tribal Environmental Plan

The GAP Guidance states the following about the content of the TEP:

Tribal governments should include environmental program priorities for their community in this section of the ETEP. For each priority, the following detail should be included: (1) short description of the priority; (2) the tribe's long-term environmental program development goals that help to address or support the priority; (3) intermediate program development milestones the tribal government would like to meet during the time period of the ETEP; (4) the tribe's plans to manage authorized environmental programs; and (5) any type of assistance (training, technical assistance, EPA direct implementation actions, financial, etc.) that may be needed. This information should be discussed between the tribe and EPA regional office staff to identify any connections between the tribe's priorities and the implementation of the federal environmental programs, and to identify potential EPA assistance that could be provided to help the tribe accomplish the proposed actions.

EPA recognizes that the Tribal Environmental Plan is a tribal document that represents the issues of importance to the Tribe; the TEP can cover a range of issues including environmental impacts that may occur off the reservation, but impact the tribe or Tribal interests.

The TEP will help guide EPA and Tribal work in the future. As the GAP Guidance states, future approvable GAP workplans will be based on the contents of the TEP. Please include an appendix section where the tribal priorities each have a program indicator from the GAP Guidance and Guidebook.

Component 1: ETEP Development (EPA Tribal Environmental Plan)				
Program Capacity: Environmental Program Administrative Capacity				
Indicator(s): B.5.1				
*Development of ETEP that expresses environmental priorities and goals to be focused on during the coming four fiscal years				
Estimated Component Cost: \$xxxx			Estimated Component Work Years: 0.xx	
Commitments	Position	Estimated Cost (optional)	End Date	Outputs and Deliverables
1.1 The Tribe will review and provide comments on the list of regulated facilities on Tribal lands (generated by EPA and provided by EPA to the Tribe).			3/31/2016	Comments on the EPA's list of regulated facilities will be provided.
1.2 The Tribe will review and provide comments on the Areas of Involvement Document (provided by EPA). This document summarizes the current EPA program engagement with the Tribe and EPA's program authorities.			4/29/2016	Comments provided to EPA on the areas of involvement document will be provided as a deliverable.
1.3 The Tribe will review and update the current Tribal Environmental Inventory, or develop a new TEI. The Tribe will ensure the TEI contains the most up-to-date information on environmental quality or issues. <i>The Tribe can request the R9 template to review as a sample inventory document.</i>			5/31/2016	A copy of the completed Tribal Environmental Inventory will be submitted to EPA.
1.4 The Tribe will develop and submit a draft Tribal Environmental Plan (TEP) to EPA. The updated TEI will inform the TEP development. The Tribe will work with the community and Tribal Council to ensure the TEP includes the elements described in Section 4.3(1) of the 2013 GAP Guidance. The Tribe will incorporate into the TEP or as an appendix an identification of which Capacity Indicators described in the GAP Guidebook will support the Tribe's GAP-eligible work within the TEP.			6/24/2016	A copy of the draft TEP will be submitted to EPA by 6/24/15.
1.5 Final Tribal Environmental Plan to be submitted to EPA.			7/29/2016	A copy of the final TEP with Council approval will be submitted to EPA.
1.6 The Tribe and EPA will begin discussions on mutual environmental priorities for the cover memo.			8/31/2016	List of environmental priorities to be submitted to EPA.
1.7 The Tribe and EPA will collaborate on a cover memo to be signed by both parties that identifies areas where EPA's and the Tribe's goals align – areas where we will be working together to accomplish mutual interests.			9/30/2016	The Tribe and EPA will develop and finalize a signed cover memo for the ETEP.
1.8 The final ETEP will be an assembly of the four documents above (items 2-5), or a narrative document that incorporates the contents of items 2-5 into a cohesive text. Future GAP workplan commitments will be developed from the final ETEP document.			9/30/2016	Either the assembled four section document or narrative document will be on file with EPA and the Tribe.

Region 9 - Application Checklist for Financial Assistance

(March 2015)

Applications for Federal assistance must be submitted through Grants.gov effective February 17, 2015. For competitive programs, please refer to instructions from your EPA point of contact (usually your assigned EPA Project Officer) for the final application submission process. You can find information about the Grants.gov registration process here: [Grants.gov Instructions Guide](#) (PDF)

As applicable, the following forms/information should be attached to your Competed and Non-Competed Grants.gov application:

- ☐ **Grants.gov Application for Federal Assistance (Standard Form (SF) 424), with authorized signature submitted.**
(Grants.gov support/assistance is available 24 hours a day 7 days a week at 1-800-518-4726 or Support@grants.gov.)
- ☐ **Interim Financial Assistance Conflict of Interest (COI) Policy**
(If applicable, attach COI statement to **Standard Form (SF) 424**.)
The EPA issued the [Interim Financial Assistance Conflict of Interest Policy](#) in accordance with the Omni-Circular's Conflict of Interest disclosure requirements. If applicable, the applicant's conflict of interest disclosure statement must be prominently titled and attached to the SF 424. This policy applies to all individuals and non-federal entities requesting and receiving EPA financial assistance on or after **December 26, 2014**.
- ☐ **Budget Information for Non-Construction Programs (Standard Form (SF) 424A)**
(Required for all applicants)
- ☐ **Budget Detail** – Breakdown by Object Class Categories (Required for all applicants)
- ☐ **EPA Key Contacts Form (Required for all applicants)**
- ☐ **Assurances for Non Construction Programs (Standard Form (SF) 424B), with authorized signature (Required for all applicants)**
- ☐ **Pre-Award Compliance Review Report (EPA Form 4700-4), with authorized signature (Required for all applicants)**
- ☐ **Certification Regarding Lobbying (EPA Form 6600-06), with authorized signature (Not required for Tribes. For all other applicants, form is required if the total federal dollar requested is greater than \$100,000.)**
- ☐ **Disclosure of Lobbying Activities (Form SF-LLL), with authorized signature (Not required for Tribes. For all other applicants, form is required for reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352.)**

- ☐ **Include Program/Project Director's Email Address on page 1 of the SF 424**
(Acknowledgement of Application receipt will be sent to Program/Project Director listed.)
- ☐ **Current Indirect Cost Rate Negotiation Agreement**
If applicable, include Rate and Signature Pages (Sections 1 and 3) of the approved Indirect Cost Rate Agreement with application.
- ☐ **Project Narrative Attachment Form (Workplan) (Required for all applicants)**
This is an outline of required work plan elements as determined by Region 9. **Please contact your EPA Project Officer for details.**
- ☐ **Additional Information for Standard Form 424, Block #19 (as applicable):**
Block 19: Is Application Subject to Review by State Under Executive Order 12372 Process?
Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State. The Office of Management and Budget maintains a list of SPOCs at this site:
<http://www.opr.ca.gov/index.php?a=sch/grant.html#epa>

Applicants must submit or fax page 1 of the application (or summary thereof) to the SPOC Intergovernmental Review.

CALIFORNIA

Grants Coordination
State Clearinghouse
Office of Planning & Research
P.O. Box 3044, Room 212
Sacramento, CA 95814-3044
Telephone: (916) 445-0613
FAX: (916) 323-3018
Email: state.clearinghouse@opr.ca.gov

NEVADA

Coordinator
Department of Administration
State Clearinghouse
209 E. Musser Street, Room 200
Carson City, Nevada 89701
Telephone: (775) 684-0222 or 0223
Fax: (775) 684-0260
Email: rtietje@budget.state.nv.us

GUAM

Director
Bureau of Budget and Mgmt. Research
Office of the Governor
P.O. Box 2950
Agana, Guam 96910
Telephone: 011-671-472-2285
Fax: 011-472-2825

NORTH MARIANA ISLANDS

Ms. Jacoba T. Seman
Federal Programs Coordinator
Office of Management and Budget
Office of the Governor
Saipan, MP 96950
Telephone: (670) 664-2289
Fax: (670) 664-2272

EPA Region 9 - Grants.gov Instructions Guide

(March 2015)

Applications for Federal assistance must be submitted through Grants.gov.

Register with Grants.gov! In order to submit your application using Grants.gov, your organization must be registered with Grants.gov. Please allow four weeks to complete the registration process. Also, please note that you must have a DUNS number and an active SAM.gov registration before registering with Grants.gov. You can find more information about registering at:

<http://www.grants.gov/web/grants/applicants/organization-registration.html>


To Access and Download Grant Application Package go to:

<http://www.grants.gov/web/grants/applicants/download-application-package.html>

1. Funding Opportunity Number (FON).

- A. Competitive Programs: Refer to the competitive solicitation for the applicable FON. Applicant will enter this into the "Funding Opportunity Number" field to locate the application package.
- B. Non-Competitive Discretionary Programs: Obtain FON from your EPA Point of Contact (POC). Applicant will enter this into the "Funding Opportunity Number" field to locate the application package.
- C. Continuing Environmental Programs (CEPs): The list of available CFDA numbers for CEPs have been divided between two FONs. The two FONs used to access the application packages are **EPA-CEP-01** and **EPA-CEP-02**. Refer to the following Attachment to determine which FON your CFDA is published under. Applicant will enter this into the "Funding Opportunity Number" field to locate the packages.

CFDA Number: (#)

 Funding Opportunity Number: (C)

Funding Opportunity Competition ID: (C)

- 2. **Download the package** associated with CFDA 66.XXX.
- 3. **Complete the Grant Application Package.** Attach the forms and information required by your particular program. **Contact your EPA POC if you have questions about which forms and materials you must submit for your program.**
- 4. **Submit your application.** Go to <http://www.grants.gov/web/grants/applicants/apply-for-grants.html> for more information on this process.
- 5. **Confirm with your EPA POC** that EPA has received your application package. **If for ANY reason you cannot submit your application by the deadline specified, contact your EPA POC immediately.**

For FAQs, User Guides, Checklists, Training and Technical Support, visit the Grants.gov Applicant Resource page at <http://www.grants.gov/web/grants/applicants/applicant-resources.html>

Technical Questions or Issues? Please call (1-800-518-4726) or email (support@grants.gov) the Grants.gov Contact Center (<http://www.grants.gov/web/grants/about/contact-us.html>). Help is available 24 hours a day, 7 days a week.

Grants.gov Instructions Guide

Continuing Environmental Programs (CEPs)
(EPA Mandatory Grant Programs)

ATTACHMENT

CFDAs Under EPA-CEP-01

66.001	Air Pollution Control Program Support
66.032	State Indoor Radon Grants
66.034	Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act
66.038	Training, Investigations, and Special Purpose Activities of Federally-Recognized Indian Tribes Consistent With the Clean Air Act (CAA), Tribal Sovereignty and the Protection and Management of Air Quality
66.040	State Clean Diesel Grant Program This program contains Recovery Act funding.
66.042	Temporally Integrated Monitoring of Ecosystems (TIME) and Long-Term Monitoring (LTM) Program
66.121	Puget Sound Protection and Restoration: Tribal Implementation Assistance Program
66.124	Coastal Wetlands Planning Protection and Restoration Act
66.125	Lake Pontchartrain Basin Restoration Program (PRP)
66.202	Congressionally Mandated Projects
66.418	Construction Grants for Wastewater Treatment Works This program contains Recovery Act funding.
66.419	Water Pollution Control State, Interstate, and Tribal Program Support
66.432	State Public Water System Supervision
66.433	State Underground Water Source Protection
66.437	Long Island Sound Program
66.454	Water Quality Management Planning This program contains Recovery Act funding.
66.456	National Estuary Program
66.458	Capitalization Grants for Clean Water State Revolving Funds This program contains Recovery Act funding.
66.460	Nonpoint Source Implementation Grants
66.466	Chesapeake Bay Program
66.468	Capitalization Grants for Drinking Water State Revolving Funds This program contains Recovery Act funding.
66.469	Great Lakes Program
66.472	Beach Monitoring and Notification Program Implementation Grants
66.473	Direct Implementation Tribal Cooperative Agreements
66.481	Lake Champlain Basin Program
66.482	Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Capitalization Grants For Clean Water State Revolving Funds
66.483	Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Capitalization Grants for Drinking Water State Revolving Funds
66.508	Senior Environmental Employment Program This program contains Recovery Act funding.
66.517	Regional Applied Research Efforts (RARE)
66.518	State Senior Environmental Employment Program
66.600	Environmental Protection Consolidated Grants for the Insular Areas - Program Support
66.605	Performance Partnership Grants

CFDAs Under EPA-CEP-02

66.700	Consolidated Pesticide Enforcement Cooperative Agreements
66.701	Toxic Substances Compliance Monitoring Cooperative Agreements
66.707	TSCA Title IV State Lead Grants Certification of Lead-Based Paint Professionals
66.714	Regional Agricultural IPM Grants
66.801	Hazardous Waste Management State Program Support
66.802	Superfund State, Political Subdivision, and Indian Tribe Site-Specific Cooperative Agreements This program contains Recovery Act funding.
66.804	Underground Storage Tank Prevention, Detection and Compliance Program
66.805	Leaking Underground Storage Tank Trust Fund Corrective Action Program This program contains Recovery Act funding.
66.808	Solid Waste Management Assistance Grants
66.809	Superfund State and Indian Tribe Core Program Cooperative Agreements
66.817	State and Tribal Response Program Grants
66.819	Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Leaking Underground Storage Tank Trust Fund Corrective Action Program
66.926	Indian Environmental General Assistance Program (GAP)
66.931	International Financial Assistance Projects Sponsored by the Office of International and Tribal Affairs

ATTACHMENT

Region 9 Guidance Information for Applicants <http://www.epa.gov/region9/funding/information.html>

- Omni-Circular under 2 CFR 200 & EPA Regulations under 2 CFR 1500:

EPA has officially adopted the OMB Omni-Circular effective **December 26, 2014**. Specifically, in a [joint interim final rule](#) published in the Federal Register on December 19, 2014 (see 79 Fed. Reg. 76050-76063), EPA adopted the Omni-Circular. This includes adoption of Omni-Circular requirements located at [2 CFR 200](#) along with EPA-specific provisions mandated by statute, regulation or agency policy now codified under [2 CFR 1500](#). OMB's website at <https://cfo.gov/cofar/> is the location for resources regarding the Omni-Circular, including [OMB's Frequently Asked Questions \(FAQ\)](#).

Federal Register:

<http://www.gpo.gov/fdsys/pkg/FR-2014-12-19/pdf/2014-28697.pdf>

2 CFR 200:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=4467ef7edf6418328185fef45270f1f&node=pt2.1.200&rgn=div5>

2 CFR 1500:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=ac772c78043ca73b46f5d168dd3f038f&tpl=/ecfrbrowse/Title02/2chapterXV.tpl>

OMB's FAQ:

<https://cfo.gov/wp-content/uploads/2014/11/2014-11-26-Frequently-Asked-Questions.pdf>

- Interim Financial Assistance Conflict of Interest Policy:

In accordance with the Omni-Circular's Conflict of Interest disclosure requirements under [2 CFR 200.112](#), EPA issued the [Interim Financial Assistance Conflict of Interest Policy](#). Requirements include applicants providing a prominently titled conflict of interest disclosure statement attached to the SF 424, if applicable. This policy applies to all individuals and non-federal entities requesting and receiving EPA financial assistance on or after **December 26, 2014**. (Note: A standard EPA form is not currently available for the COI disclosure requirement since this is an interim policy.)

Interim Policy:

http://www.epa.gov/ogd/epa_interim_financial_assistance_coi_policy.htm

- Submission of Grant Applications via Grants.gov:

Effective **February 17, 2015**, EPA grant applicants must use [Grants.gov](#) to submit their applications. It is highly recommended that EPA applicants complete their registration on Grants.gov now, since the entire process can take up to 30 days to complete. Information located at [Submitting an Application to Grants.gov Apply](#) and [Applicant Resources](#) for Grants.gov will help you get started. Applicants are also encouraged to view a previously recorded [EPA Information Webinar](#) session/ presentation regarding Grants.gov or register for an available session.

Grants.gov support/assistance is available 24 hours a day 7 days a week at 1-800-518-4726 or Support@grants.gov. For International callers, call (606) 545-5035 to speak with a Grants.gov Contact Center representative. Also, the [Region 9 Application Checklist](#) will help ensure your EPA application submitted through Grants.gov is complete.

Guide on Submitting an Application to Grants.gov:

<http://www.epa.gov/ogd/guide/submitting.htm>

Grants.gov Application Resources:

<http://www.grants.gov/web/grants/applicants/applicant-resources.html>

EPA Information Sessions/Webinars:

http://www.epa.gov/ogd/training/grants_gov_information_sessions_for_applicants.htm

Region 9 Application Checklist:

<http://www.epa.gov/region09/funding/pdfs/grantsgov/r9-application-checklist-grantsgov.pdf>

- **Bundling of Grant Application Certifications (for States & Tribes):**

State and Tribal applicants are highly encouraged to submit annually a single set ("bundling") of application certification forms with a cover letter. The letter must indicate the applicable timeframe (usually a federal or state fiscal year) of the certifications for all EPA grant applications received by Region 9 Grants Management Office (GMO) within that period. GMO accepts Adobe format (.pdf) of the letter with applicable signed certification(s) through the electronic mail box:

grantsregion9@epa.gov. Please note that updated forms must be submitted when changes to the responses are required. The following certifications can be bundled:

- ❖ [Standard Form \(SF\) 424B, Assurances for Non-Construction Programs](#)
- ❖ [EPA Form 6600-06, Certification Regarding Lobbying, Certification for Contracts, Grants, Loans and Cooperative Agreements](#)
- ❖ [EPA Form 4700-4, Preaward Compliance Review Report for All Applicants Requesting EPA Financial Assistance](#)

Applicants are highly encouraged to use bundling of their certifications if multiple EPA applications are submitted annually. Bundling can be especially helpful as EPA is transitioning to Grants.gov. Please contact your EPA Grants Specialist for questions regarding bundling.

EPA Application Forms:

<http://www.epa.gov/ogd/forms/forms.htm>

- **Changes to the Minority & Women Business Enterprise (M/WBE) Utilization Reporting Requirement:**

The EPA issued a revised class deviation from [40 CFR 33.502](#) on **December 4, 2014**, which supersedes the M/WBE reporting requirement specified in the recipient's Notice of Award. The EPA financial assistance recipients are now required to report annually when certain conditions are met to reach a threshold of \$150,000. Please review the current information from [EPA's Small Business Programs](#).

40 CFR 33:

http://www.ecfr.gov/cgi-bin/text-idx?SID=04eada1fb1292e21ecf2434ad7bf3781&tpl=/ecfrbrowse/Title40/40cfr33_main_02.tpl

EPA's Small Business Programs:

http://www.epa.gov/osbp/dbe_reporting.htm

- **Grants Management Training Materials for Tribal Organizations:**

The EPA's Office of Grants and Debarment (OGD) worked with the national Partnership for Environmental Technology Education (NPETE) to develop [training materials for Tribal organizations](#). While OGD is no longer able to offer in-person trainings, the training materials, including the training manuals and webinar recordings, are available for download.

Recipient Training:

http://www.epa.gov/ogd/training/ recip_train.htm